

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 19, 2009

TO: Honorable Patrick M. Rose, Chair, House Committee on Human Services

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: SB806 by Nelson (Relating to the imposition of a disciplinary action on a licensed nursing facility administrator; providing a penalty.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Health and Safety Code as it relates to the imposition of a disciplinary action on a licensed nursing facility administrator and provides a penalty.

SECTION 2 and 4 of the bill add provisions to revoke, suspend, or refuse to renew a nursing facility administrator's license, assess an administrative penalty, issue a written reprimand, require participation in continuing education, or place an administrator on probation, if the license holder has been convicted in a court of competent jurisdiction of an offense listed in Section 250.006 of the Health and Safety Code (Convictions Barring Employment).

SECTION 3 of the bill would allow a penalty to be imposed, rather than requiring the Department of Aging and Disability Services (DADS) to set a hearing, if a person fails to timely respond to the notice.

SECTION 5 of the bill would allow DADS to impose a penalty if a person fails to timely respond to the notice.

The bill would apply only to a disciplinary action imposed on or after the effective date of the bill. A disciplinary action imposed before that date would be governed by the law in effect at the time the action was initiated.

The bill would take effect immediately if it received a vote of two-thirds of all the members elected to each house. If the bill does not receive the vote necessary for immediate effect, the bill would take effect September 1, 2009.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 539 Aging and Disability Services, Department of

LBB Staff: JOB, CL, SJ, LR